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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/122,484	07/24/98	LATTER	T 8285/181

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EXAMINER	
NGUYEN, D	
ART UNIT	PAPER NUMBER

2743

DATE MAILED:

08/03/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/122,484**

Applicant(s)  
**LATTER ET AL.**

Examiner  
**Duc Nguyen**

Group Art Unit  
**2743**



☒ Responsive to communication(s) filed on Jul 24, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-45 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-45 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 1 and 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Claim Rejections - 35 U.S.C. § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the name of the present service" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16, 18, 21-32, 34-39 and 41-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (5,033,076) in view of Yaker (5,848,142).

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Consider claims 1 and 30. Jones teaches a method for processing a call from a calling party (i.e., caller station 101) at a calling communication station to a called communication station (i.e., called station 111), the method comprising the steps of (a) determining whether standard caller identification information for the calling communication station can be provided to the called communication station (e.g., if the call is made from a caller who does not wish to have his number displayed to a called customer...; see the entire abstract); (b) transmitting a request for caller identification information to the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station (e.g., the caller is given a special announcement; in response to this announcement if the caller keys a special privacy override code then the call is completed with the caller's number displayed; see the entire abstract); (c) transmitting the caller identification information to the called communication station (e.g., the caller is given a special announcement; in response to this announcement if the caller keys a special privacy override code then the call is completed with the caller's number displayed; see the entire abstract); and (d) canceling the call in response to input from the called communication station (this step is met due to the fact that called party can reject or deny the call).

Jones does not teach the step of transmitting audible caller identification information to the calling communication station.

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Yaker teaches the step of transmitting audible caller identification information to the calling communication station (column 5 line 47 to column 6 line 18; especially column 6 lines 5-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Yaker into the teachings of Jones in order to provide caller ID information to handicap people such as blind people.

Consider claim 2. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker further teaches the step of transferring the call to a voice mail system in response to input from the called communication station (column 6 lines 13-17).

Consider claim 3. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker further teaches the step of transferring the call to another location in response to input from the called communication station (column 6 lines 13-17).

Consider claim 4. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker further teaches the step of transmitting a message to the calling communication station in response to input from the called communication station (column 9 line 26 to column 10 line 15).

Consider claim 5. Yaker further teaches that the input from the called communication station comprises dual tone multi-frequency tones (column 9 lines 26-52).

Consider claim 6. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker further teaches the step of transmitting a text message to the

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called communication station (e.g., text-to-speech announcement, visual display, or another message; column 5 lines 58-66).

Consider claim 7. Yaker further teaches the text message identifies the name of present service (i.e., "call waiting"; column 7 lines 26-65).

Consider claim 8. Yaker further teaches the steps of recording the audible caller identification information and transmitting the recorded audible caller identification information to the called telephone station (column 6 lines 13-18).

Consider claim 9. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker inherently teaches the step of determining whether a human is available to answer the call (e.g., if the subscriber does not answer the ECW call; column 6 lines 13-18); and connecting the calling communication station to the called communication station in response to a determination that a human is not available to answer the call (column 6 lines 13-18).

Consider claim 10. Yaker further teaches steps of connecting a service node (100) with the called communication station (i.e., 11 or 21); transmitting a request for input to the called communication station; and determining whether input was transmitted from the called communication station (column 2 lines 36-67).

Consider claim 11. Yaker further teaches the steps of disconnecting the service node and the called communication station (column 2 lines 60-64); and placing a second call to the called communication station (column 6 lines 13-18).

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Consider claim 12. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, and Yaker further teaches the step of determining whether a human is available to answer the call (e.g., if the subscriber does not answer the call; column 6 lines 13-18); and connecting the calling communication station with a voice mail system in response to a determination that a human is not available to answer the call (column 6 lines 13-18).

Consider claim 13. Yaker further teaches the steps of connecting a service node with the called communication station; transmitting a request for input to the called communication station (column 8 line 37 to column 9 line 5); and determining whether input was transmitted from the called communication station (column 2 lines 36-67; column 8 line 37 to column 9 line 5).

Consider claim 14. Yaker further teaches the steps of disconnecting the service node and the called communication station (column 2 lines 60-64); and placing a second call to the called communication station (column 6 lines 13-18).

Consider claim 15. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, except that the method is utilized in an advanced intelligent network. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilized the method in any network environment (e.g., PSTN or AIN) without changing the scope of the claimed subject matter which is to provide audible caller identification to the called party.

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Consider claim 16. Jones further teaches that the service control point is operative to determine whether the standard caller identification information for the calling communication station is unavailable (column 4 lines 22-56).

Consider claim 18. Jones further teaches that the service control point is operative to determine whether the standard caller identification information for the calling communication station has been blocked (column 4 lines 22-56).

Consider claim 21. Yaker further teaches the step of transmitting a message to the called communication station, the message comprising accept and reject options and a request for input from the called communication station (column 9 line 26 to column 12 line 31).

Consider claim 22. Yaker further teaches the step determining whether a human is available to answer the call (e.g., if the subscriber does not answer the ECW call; column 6 lines 13-18).

Consider claim 23. Yaker further teaches the step of connecting the call in response to input from the called communication station (column 6 lines 10-12).

Consider claim 24. Yaker further teaches the step of canceling the call in response to input from the called communication station (e.g., reject or deny the incoming call; column 6 lines 13-18).

Consider claim 25. Yaker further teaches the step of transferring the call to a voice mail system in response to input from the called communication station (column 6 lines 13-17).



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Consider claim 26. Yaker further teaches the step of transferring the call to another location in response to input from the called communication station (column 6 lines 13-17).

Consider claim 27. Yaker further teaches the step of transmitting a message to the calling communication station in response to input from the called communication station (column 9 line 26 to column 10 line 15).

Consider claim 28. Yaker further teaches the step of transmitting a text message to the called communication station (e.g., text-to-speech announcement, visual display, or another message; column 5 lines 58-66).

Consider claim 29. Yaker further teaches the text message identifies the name of present service (i.e., "call waiting"; column 7 lines 26-65).

Consider claims 31 and 38. Jones in view of Yaker teach all subject matter claimed, note see the rejection of claim 1, except for a service control point; a service node or an intelligent peripheral. However, the SCP is met by caller class 133 (column 4 lines 12-16); the service node or intelligent peripheral is met by the audio signal processing unit (140). it would also have been obvious to one of ordinary skill in the art at the time the invention was made to utilized the method in any network environment (e.g., PSTN or AIN) without changing the scope of the claimed subject matter which is to provide audible caller identification to the called party.

Consider claims 32 and 39. Jones further teaches that the service control point is operative to determine whether the standard caller identification information for the calling communication station is unavailable (column 4 lines 22-56).

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Consider claims 34 and 41. Jones further teaches that the service control point is operative to determine whether the standard caller identification information for the calling communication station has been blocked (column 4 lines 22-56).

Consider claims 35 and 42. Jones further teaches that the service node is operative to transmit audible messages to the calling communication station (e.g., a special announcement; see the entire abstract).

Consider claims 36 and 43. Yaker further teaches that the service node is operative to transmit audible messages to the called communication station (column 5 line 58 to column 6 line 12).

Consider claims 37 and 44. Yaker further teaches that the service node is operative to receive and respond to input from the called communication station (column 6 lines 13-18; column 8 line 37 to column 9 line 5).

Consider claim 45. Jones teaches a computer usable medium having computer readable program code embodied therein for processing a call from a calling party at a calling communication station to a called communication station, the computer readable program code comprising a first computer readable program code for causing a computer to determine whether standard caller identification information for the calling communication station can be provided to the called communication station (e.g., if the call is made from a caller who does not wish to have his number displayed to a called customer...; see the entire abstract); a second computer readable program code for causing a computer to transmit a request for caller identification information to

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the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station (e.g., the caller is given a special announcement; in response to this announcement if the caller keys a special privacy override code then the call is completed with the caller's number displayed; see the entire abstract); and a third computer readable program code for causing a computer to transmit the caller identification information to the called communication station (e.g., the caller is given a special announcement; in response to this announcement if the caller keys a special privacy override code then the call is completed with the caller's number displayed; see the entire abstract).

Jones does not teach the step of transmitting audible caller identification information to the calling communication station.

Yaker teaches the step of transmitting audible caller identification information to the calling communication station (column 5 line 47 to column 6 line 18; especially column 6 lines 5-2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Yaker into the teachings of Jones in order to provide caller ID information to handicap people such as blind people.

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5. Claims 17, 33 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (5,033,076) in view of Yaker (5,848,142) as applied to claims 15, 31, 38 above, and further in view of Popke (5,341,414).

Consider claims 17, 33 and 40. Jones in view of Yaker do not teach that the service control point is operative to determine whether the standard caller identification information for the calling communication station is incomplete.

Popke teaches that the service control point is operative to determine whether the standard caller identification information for the calling communication station is incomplete (e.g., caller ID or ANI has been blocked or unreadable; column 9 lines 1-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Popke into the teachings of Jones in view of Yaker so that called party can screen or monitor the incoming call before answering the call in order to avoid answering nuisance, harassment, or unimportant calls.

6. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (5,033,076) in view of Yaker (5,848,142) as applied to claim 15 above, and further in view of Dai et al (5,559,859).

Consider claim 19-20. Jones in view of Yaker do not teach the step of transmitting a request for the calling party to speak his/her name.

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Dai teaches the step of transmitting a request for the calling party to speak his/her name (see figure 16; column 24 lines 15-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Dai into the teachings of Jones in view Yaker so that called party can screen or monitor the incoming call before answering the call in order to avoid answering nuisance, harassment, or unimportant calls.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Serbetcioglu et al (5,511,111) teach a caller name and identification communication system with caller screening option.

Lim et al (5,883,942) teach a voice caller ID apparatus.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks  
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**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

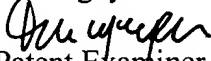
**Or:**

(703) 305-9508, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA., Sixth Floor (Receptionist).

7/29/99

Duc Nguyen

  
Patent Examiner  
Art Unit 2743